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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

DAVID ALLEN WADDY

VERSUS

WARDEN, WINN CORRECTIONAL CENTER

CIVIL NO. 1:05CV0973
JUDGE DRELL
MAG. JUDGE KIRK

CERTIFICATE OF APPEALABILITY

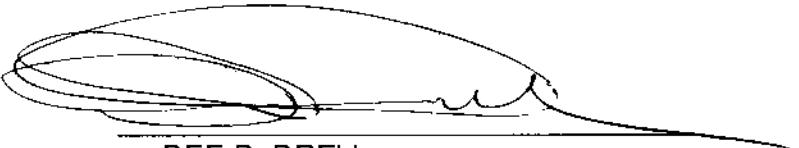
A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Alexandria, Louisiana, this 29th day of September, 2005


DEE D. DRELL
UNITED STATES DISTRICT JUDGE